

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

UNITED STATES OF AMERICA §  
§ vs. § CRIMINAL NO. 4:16-cr-3  
§  
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§  
Omar Faraj Saeed al Hardan,  
Defendant.

## **NOTICE OF INTENT TO USE FOREIGN INTELLIGENCE SURVEILLANCE ACT INFORMATION**

The United States, through its attorney Kenneth Magidson, United States Attorney for the Southern District of Texas, hereby provides notice to defendant Omar Faraj Saeed al Hardan and to the Court, that pursuant to Title 50, United States Code, Sections 1806(c) and 1825(d), the United States intends to offer into evidence, or otherwise use or disclose in any proceedings in the above-captioned matter, information obtained or derived from electronic surveillance and physical searches conducted pursuant to the Foreign Intelligence Surveillance Act of 1978, as amended, 50 U.S.C. §§ 1801-1812 and 1821-1829.

Dated: January 12, 2016

Respectfully submitted,

KENNETH MAGIDSON  
United States Attorney  
Southern District of Texas  
/s/ S. Mark McIntyre  
S. Mark McIntyre  
Assistant U.S. Attorney  
(713) 567-9000

**CERTIFICATE OF SERVICE**

I hereby certify that notice of this motion has been provided to counsel for the defendant via automatic notice through the PACER/ECF electronic filing system, on this 12<sup>th</sup> day of January, 2016.

Respectfully submitted,

KENNETH MAGIDSON  
United States Attorney  
Southern District of Texas  
/s/ S. Mark McIntyre  
S. Mark McIntyre  
Assistant U.S. Attorney  
(713) 567-9000